

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

THELMA JONES, PRIYIA LACEY, FAISA
ABDI, ALI ALI, RUKIYA HUSSEIN, LUCIA
PORRAS, DAVID TROTTER-FORD, AND
SOMALI COMMUNITY RESETTLEMENT
SERVICES, INC.,

Case: 18-cv-1643 (JRT/HB)

Plaintiffs,

v.

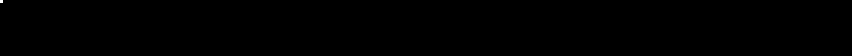
CITY OF FARIBAULT,

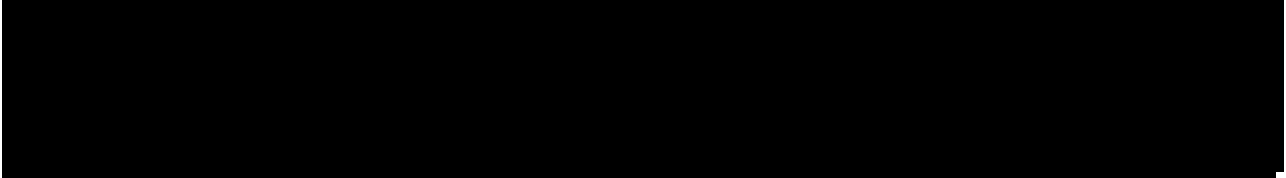
Defendant.

DECLARATION OF ROBERT A. ALSOP

I, **ROBERT A. ALSOP**, do hereby depose and state as follows:

1. I am a Shareholder at the law firm of Kennedy and Graven,
Chartered, where I serve as attorney for the City of Faribault and the Faribault
Housing and Redevelopment Authority.

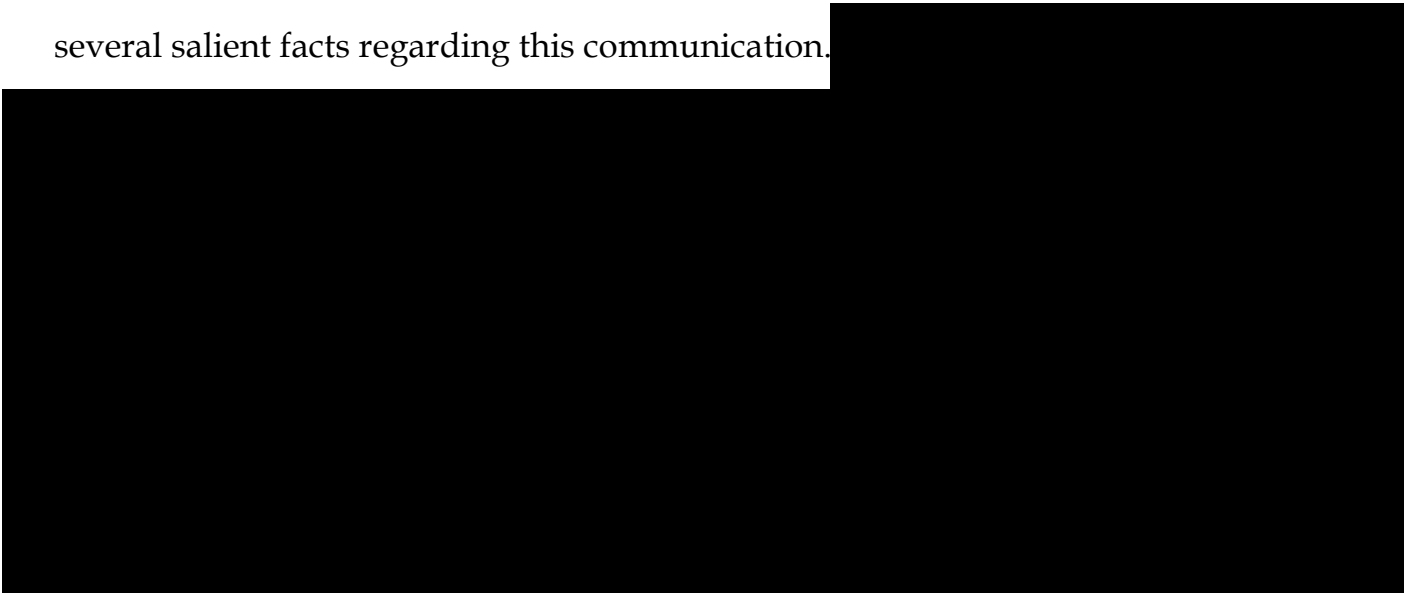
2. On December 4, 2018, I received an electronic communication from
Kim Clausen requesting 

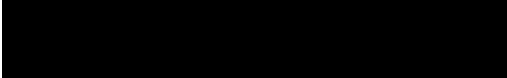


3. Aside from me, and my colleague Scott Riggs, Clausen included her
supervisor Deanna Kuennen, and Ms. Kuennen's supervisor City Administrator
Tim Murray on the communication. Additionally, Clausen included attorneys

Paul Reuvers and Andrew Wolf, who are currently serving as litigation counsel for the City, on the communication. Clausen did not waive privilege by including litigation counsel on this communication, because the fact of Plaintiffs' subpoena should have already been made aware to Defendant's counsel under the Federal Rules of Civil Procedure.

4. My subsequent communications with litigation counsel reveal several salient facts regarding this communication.



5.  the City's litigation counsel was not included on subsequent communications regarding the HRA's request for legal assistance in complying with the subpoena.

6. Nevertheless, because the City employees are responsible for the operation of the HRA, in their capacity as employees of the City of Faribault, this communication was revealed to litigation counsel as a result of the City's ESI searches in response to Plaintiffs' Requests for the Production of Documents.

7. On March 7, 2017, I received an electronic communication from Deanna Kuennen, Community and Economic Development Director for my client the City of Faribault, regarding [REDACTED]

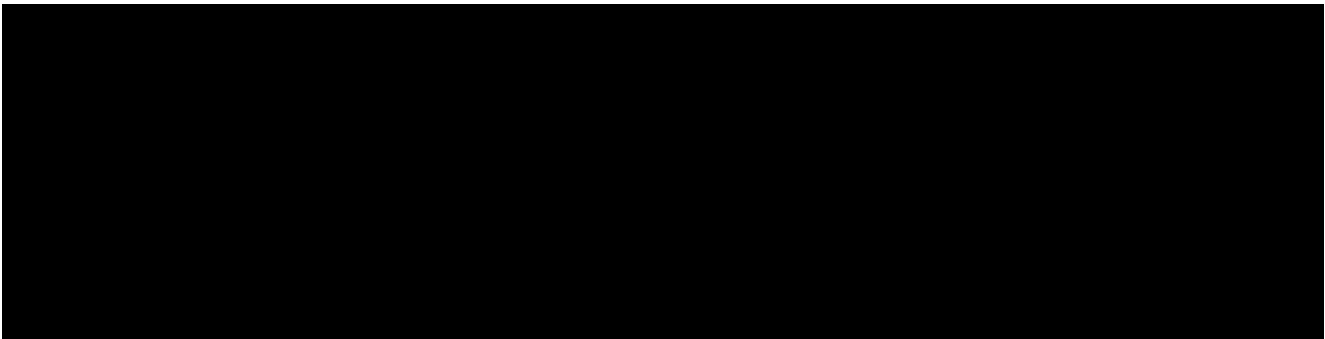
[REDACTED]


8. Understanding this communication was transmitted to me in my capacity as the City Attorney, I sent an electronic communication to Deanna Kuennen regarding [REDACTED]

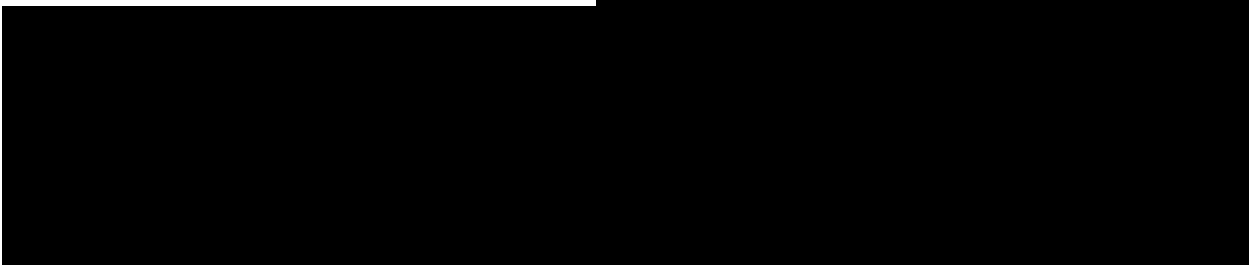
[REDACTED]

9. [REDACTED]


[REDACTED]




10. On May 9, 2017, I received an electronic communication from Deanna Kuennen, Community and Economic Development Director for my client the City of Faribault, regarding 



11. Aside from me, and my colleagues Scott Riggs and Jean Short, Kuennen included Andy Bohlen, Marty Smith, and Mark Krenik on the communication. This was not unusual because I worked directly with each of these individuals while drafting and revising the City's Rental Licensing Ordinance.

12. I understood this communication to be transmitted to me in my capacity as the City Attorney, because 



13. On August 16, 2017, I received an electronic communication from Deanna Kuennen, Community and Economic Development Director for my client the City of Faribault, regarding [REDACTED]

[REDACTED]

14. I was included on this communication because the original message and subsequent messages in the conversation related to my office's provision of legal services to the City.

15. The conversation began when Deanna Kuennen sent a message to me and my colleague Scott Riggs at 6:02 AM the same day.

16. This message referenced legal services [REDACTED]

[REDACTED]

17. I responded to the message [REDACTED]

[REDACTED]

[REDACTED]

18. Ms. Kuennen responded to my communication 24 minutes later [REDACTED]

[REDACTED]

FURTHER THIS DECLARANT SAYETH NOT.

STATE OF MINNESOTA)

): SS

COUNTY OF HENNEPIN)

s/Robert A. Alsop

Robert A. Alsop